

## PROCEEDING THROUGH AUTOMATED STOPLIGHTS

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### House Bill 5848

**Sponsor: Rep. Mike Shirkey**

**Committee: Transportation**

**Complete to 11-27-12**

## A SUMMARY OF HOUSE BILL 5848 AS INTRODUCED 9-11-12

The bill would amend the Michigan Vehicle Code (MCL 257.611) to allow the driver of a bicycle, motorcycle, moped, or 3-wheeled vehicle to proceed through the stop signal of an automated stoplight if the automated stoplight fails to detect the presence of such a vehicle for the purposes of making a signal change.

This applies if the stoplight fails to detect the vehicle's presence after one full cycle of the automated stoplight after making the stop, or after 60 seconds if the automated stoplight is not cycling or if the driver is unable to determine whether the automated stoplight is cycling. The operator of the vehicle proceeding through a stop signal in compliance with this bill would nevertheless be required to yield the right-of-way to other bicycles or vehicles in the manner required by the stop signal.

The bill would define "automated stoplight" to mean a stoplight that uses inductive loop sensors or other automated technology to detect the presence of vehicles for purposes of regulating traffic flow.

In a proceeding for a violation of the offense of disobeying a traffic control device, there would be a presumption that an automated stoplight has failed to detect a bicycle, motorcycle, moped, or 3-wheeled vehicle that proceeded through a stop signal at an automated stoplight. A presumption under the bill could be rebutted by testimony of a law enforcement officer that he or she witnessed the vehicle proceed through the stop signal before completion of one full cycle of the automated stoplight or 60 seconds after making its stop.

### FISCAL IMPACT:

The bill would have an indeterminate fiscal impact on state and local government. To the extent that the bill eliminates a potential offense that could have previously been punishable by a traffic-related civil infraction, local courts may see a reduction in costs due to a decrease in caseloads. Any fine revenue that would have been collected under a civil infraction would have benefitted local libraries.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.